

### **REMARKS**

Claims 1-8, 10-19 are pending in the application. Claims 2, 10-15 are herein amended. Claim 9 is herein cancelled. Claims 1, 3-4, 7-8 were withdrawn from application. No new matter has been presented.

### **Response to Objection regarding Non-Responsiveness**

The Examiner alleged as follows:

The submission, however, is not fully responsive to the prior Office action because the claims presented are directed to a different invention. Newly submitted independent **claim 2** is directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: Until now, both the first path (the path of the molding die) and the second path (the path of the holding mechanism), have been circular, as required by original claims 2 and 10. In the submission filed March 31, 2011, claim 2 requires that the second path have an elastically changing radius. Since a circle by definition has a fixed radius, the old invention and the invention recited by claim 2 are mutually exclusive.

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claims 2, 5-6 and 8-19 stand withdrawn from consideration as being directed to a non-elected invention.

(Office Action, page 2, lines 5-18). However, the Examiner's allegation is based on misunderstanding of the present invention. Although the Examiner assumes that the first path and the second path have been circular in the present invention, this is based on neither the disclosure nor the claim recitation of the present application. **Claim 2 has never recited that both the first path and the second path are circular.** Moreover, the response filed on March 31, 2011 is the first amendment to claim 2 to recite that the first path is circular (but not the second path).

Before the amendment filed March 31, 2011, claim 2 recited as follows:

A method of supplying a drop to a compression molding machine comprising:  
moving a molding die along a first path;  
moving a holding mechanism along a second path,  
**making a following zone extending in a plain view where the first path and the second path substantially overlap;**  
synchronizing the movement of the molding die and the movement of the holding mechanism in the following zone;  
carrying the drop by the holding mechanism to the following zone; and  
transferring the drop from the holding mechanism to the molding die in the following zone.

Thus, it recited “making a following zone extending in a plain view where the first path and the second path substantially overlap” but not that “the first path and the second path are circular.” The current amendment specifies how the following zone is made.

Because it is sufficient to recite “making a following zone where a portion of either the first path or the second path elastically conforms to other of the first path or the second path such that the first path and the second path substantially overlap in a plain view over a distance,” **currently amended claim 2 does not recite “the portion of which elastically varies a radius of rotation.”**

Therefore, currently amended claims 2, 5-6 and 8-19 are directed to the elected invention, and the current amendment is responsive and should be entered.

#### **Rejection under 35 USC §112, Second Paragraph**

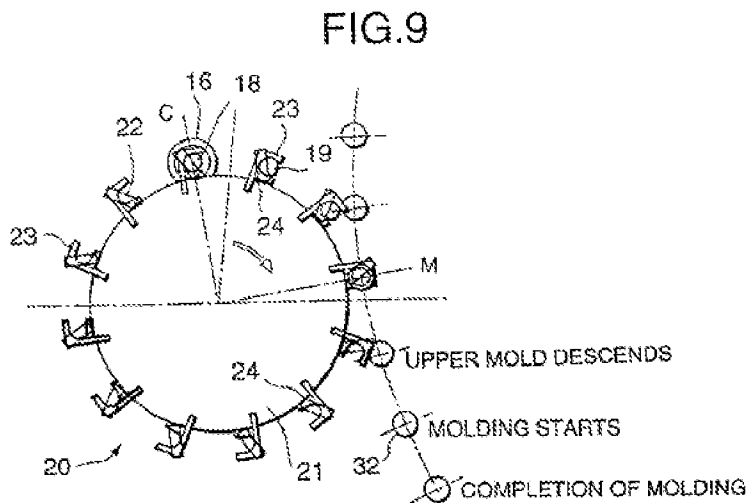
**Claim 15 was rejected under 35 U.S.C. 112, second paragraph, as being indefinite because mended claim 15 recites that “the holding mechanism is supported by an extension means provided on a conveying media between two circular paths.”**

Accordingly, the relevant portion has been amended to “the holding mechanism is supported by a conveyer going around two separate circles.” Thus claim 15 has now become definite.

**Rejections under 35 USC §102(b)**

**Claims 2, 5-6, 10 and 19 were rejected under 35 U.S.C. 102(b) as being anticipated by Saito et al. (US 2002/0088767 A1).**

Claim 2 has been amended to recite, among other things, “making a following zone where a portion of either the first path or the second path elastically conforms to other of the first path or the second path such that the first path and the second path substantially overlap in a plain view over a distance,” and “wherein the first path of the moving molding die is a circular path, and the holding mechanism to supply the drop into the molding die in a follow-up manner moves along a second path.”



As shown in Fig. 9 of Saito et al., the path of the grip member 23 and the path of the molding die are in merely tangential relation. Neither of the first path and the second path elastically conforms to other of the first path or the second path such that the first path and the second path substantially overlap in a plain view over a distance. Moreover, the holding mechanism does not move along a second path.

Saito et al. does not teach or suggest “making a following zone where a portion of either the first path or the second path elastically conforms to other of the first path or the second path such that the first path and the second path substantially overlap in a plain view over a distance,” and “wherein the first path of the moving molding die is a circular path, and the holding mechanism to supply the drop into the molding die in a follow-up manner moves along a second path.”

For at least these reasons, claim 2 patentably distinguishes over Saito et al. Claims 5, 6, 10 and 19, depending from claim 2, also patentably distinguish over Saito et al. for at least the same reasons.

#### **Rejections under 35 USC §103(a)**

**Claims 9 and 11 were rejected under 35 U.S.C. 103(a) as being obvious over Saito as applied to claim 2 above, and further in view of Winter et al. (U.S. Patent No. 6,152,723), henceforth Winter.**

**Claim 12 was rejected under 35 U.S.C. 103(a) as being obvious over Saito in view of Winter as applied to claim 11 above, and further in view of Suzuki et al. (U.S. Patent 4,312,437), henceforth Suzuki.**

**Claim 13/11 was rejected under 35 U.S.C. 103(a) as being obvious over Saito in view of Winter as applied to claim 11 above, and further in view of Choinski (US 2002/0093126 A1).**

**Claim 13/12 was rejected under 35 U.S.C. 103(a) as being obvious over Saito in view of Winter and Suzuki as applied to claim 12 above, and further in view of Choinski.**

**Claim 14 was rejected under 35 U.S.C. 103(a) as being obvious over Saito as applied to claim 2 above, and further in view of Vogel et al. (U.S. Patent No. 6,514,448 B1), henceforth Vogel.**

**Claim 15 was rejected under 35 U.S.C. 103(a) as being obvious over Saito in view of Vogel as applied to claim 14 above, and further in view of Zoppas (U.S. Patent No. 6,422,379 B1).**

**Claim 16 was rejected under 35 U.S.C. 103(a) as being obvious over Saito in view of Vogel as applied to claim 14 above, and further in view of Winter and Choinski.**

**Claim 18 was rejected under 35 U.S.C. 103(a) as being obvious over Saito as applied to claim 2 above.**

Claim 9 is cancelled herein. Claims 11-16 and 18 directly or indirectly depend from claim 2. The references, Ingram, Winter et al., Suzuki et al., Choinski, Vogel et al., and Zoppas are not cited for disclosing the “following zone” and they do not disclose the “following zone.” These references do not teach or suggest “making a following zone where a portion of either the first path or the second path elastically conforms to other of the first path or the second path such that the first path and the second path substantially overlap in a plain view over a distance,” and “wherein the first path of the moving molding die is a circular path, and the holding mechanism to supply the drop into the molding die in a follow-up manner moves along a second path the portion of which elastically varies a radius of rotation.”

Thus, these references do not remedy the deficiencies of Saito et al. discussed above.

For at least these reasons, claim 11-16 and 18 patentably distinguish over Saito, Ingram, Winter et al., Suzuki et al., Choinski, Vogel et al., and Zoppas.

In view of the aforementioned amendments and accompanying remarks, Applicants submit that the claims, as herein amended, are in condition for allowance. Applicants request such action at an early date.

**Request for Personal Interview**

If the Examiner believes that this application is not now in condition for allowance, the Examiner is requested to contact Applicants' undersigned attorney to arrange for an interview to expedite the disposition of this case.

If this paper is not timely filed, Applicants respectfully petition for an appropriate extension of time. The fees for such an extension or any other fees that may be due with respect to this paper may be charged to Deposit Account No. 50-2866.

Respectfully submitted,  
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